

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

UNITED STATES OF AMERICA)	
)	
V.)	No. 2:17-CR-12.
)	
JONATHAN ANDY LOGAN DISHNER.)	

**MEMORANDUM BRIEF IN SUPPORT OF MOTION OF DEFENDANT
JONATHAN DISHNER FOR THE DISCLOSURE OF
THE IDENTITY OF ALL PARTICIPANT-INFORMANTS**

The Defendant, Jonathan Dishner, has moved the Court to order the disclosure by the Government of the identity of all participant-informants involved in this case.

In support of his motion, the Defendant relies upon the decision of the United States Supreme Court in Rovario v. United States, 353 U.S. 53, 77 S.Ct. 623, 1 L.Ed.2d. 639 (1957). In that case the Supreme Court recognized that because a participant-informant may have had a material role in the Defendant's acquisition and/or sale of firearms, and may have been the sole person present with the Defendant at the time of the commission of the offense, and may have been a material witness as to whether or not the defendant knowingly engaged in the acquisition as sale of firearms as charged, such a participant-informant would be a material witness whose identity should be disclosed to the Defendant. See also United States v. Whitley, 734 F.2d 1129-1137-1138 (6th Cir. 1984; and United States v. McManus, 560 F.2d 747, 751 (6th Cir. 1977), cert. denied 434 U.S. 1047 (1978).

Wherefore, for the reasons aforesaid, the Defendant respectfully submits that the disclosure to her counsel by the Government of the identities of all participant-informants is

necessary and relevant to the defense of the charges against the Defendant and essential to a fair determination of this cause.

Respectfully submitted,

JONATHAN ANDY LOGAN DISHNER

BY: /s/ David L. Leonard
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CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of August, 2017, a copy of the foregoing Memorandum was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

/s/ David L. Leonard
DAVID L. LEONARD